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CITY COUNCIL PASSES ORDINANCE TO INCREASE FINES ON AIR POLLUTION TO FURTHER PROTECT CHICAGO'S RESIDENTS

New law will allow City to assess higher fines on industrial facilities and demolition contractors that create dust and risk the health and quality-of-life of residents

CHICAGO – The Chicago City Council today passed an ordinance to increase fines on air pollution in Chicago as part of an ongoing effort to further protect residents from environmental hazards. The ordinance will allow the Chicago Department of Public Health (CDPH) to assess higher fines on industrial facilities and demolition contractors that create dust and risk the health and quality-of-life of residents. The measure was introduced in December by Mayor Lori E. Lightfoot.

“Protecting the health of our residents remains our highest priority, especially as we continue to grapple with the challenges of COVID-19,” said Mayor Lightfoot. “This ordinance will allow us to do just that by holding companies accountable for jeopardizing the health of our residents and deterring future environmental violations in our city.”

The current penalty for a variety of air pollution violations committed by large industrial facilities—defined as those that have the capacity to emit significant amounts of pollution—must fall in a range of \$1,000 to \$5,000. Under the new ordinance, these fines will increase for large facilities to \$5,000 to \$10,000 for a first offense, \$10,000 to \$15,000 for a second offense, and \$15,000 to \$20,000 for any subsequent offense. The fine can go up to \$50,000 if the violation is egregious and involves visible emissions, prohibited air pollution or improper handling of material that can become windborne.

“CDPH is committed to advancing and enforcing environmental policies and rules to protect air quality,” said CDPH Commissioner Allison Arwady, M.D. “This ordinance provides our inspectors with additional enforcement tools to hold industrial facilities and demolition contractors accountable and ensure they follow the rules.”



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In addition, large facilities that fail to obtain the right permit and certificate to operate will see their penalty rise from a range of \$1,000 to \$5,000 to a range of \$5,000 to \$10,000.

"With the passage of this new ordinance, the City Council is ensuring that the City will never hesitate to enforce our environmental safety regulations to the fullest extent possible when encountering violations," said Susan Sadlowski Garza, 10th Ward Alderwoman. "Today's measure builds on our efforts to hold bad actors accountable and restore justice to our communities."

Under the ordinance, there are also additional penalties for contractors that demolish large commercial buildings without keeping the dust under control. The current range of \$5,000 to \$10,000 will stay in place for first offenders, but second offenses will now have a range of \$10,000 to \$15,000 and subsequent offenses will have a range of \$15,000 to \$20,000. If there's a particularly egregious violation involving the lack of safeguards, dust minimization, or disposal of dust and debris, the fine can be up to \$50,000. There will be no change in the fines on contractors demolishing smaller buildings or on facilities that do not have the potential to emit large amounts of pollution.

"Wards like the 12th Ward with Planned Manufacturing Districts must balance industry, environmental health and safety, and livability without the support of a Department of Environment," said George A. Cardenas, 12th Ward Alderman. "The past year was particularly challenging for the residents of Little Village, who have endured many air pollution violations during a pandemic. Tough enforcement of environmental violations has been long overdue in the City of Chicago. With this new ordinance, we are ramping up our enforcement efforts and increasing fines to ensure that bad actors are held accountable."

Today's ordinance follows the City's rapid and aggressive effort to hold companies accountable for excessive dust and other air pollution violations. Following the dust caused by the implosion of a smokestack located on the grounds of the former Crawford Power Generating Station in April, Mayor Lightfoot implemented a six-month moratorium on demolitions by implosion citywide. And, in June, the City imposed tough rules on large recycling facilities, banning numerous activities and requiring planning, monitoring, and transparency to ensure dust does not escape the property. The City also issued a citation for an explosion this year at General Iron in Lincoln Park. The new ordinance will allow for higher fines for such violations.

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